

# COMMITTEE REPORT

## MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 21, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 1, line 17, after "parts." insert "**The term does not include a**
- 2           **beverage can.**".
- 3           Page 2, line 41, delete "scrap" and insert "**valuable**".
- 4           Page 4, between lines 1 and 2, begin a new paragraph and insert:
- 5           "SECTION 5. IC 35-41-1-16.5 IS ADDED TO THE INDIANA
- 6           CODE AS A NEW SECTION TO READ AS FOLLOWS
- 7           [EFFECTIVE JULY 1, 2009]: **Sec. 16.5. "Key facility" means any of**
- 8           **the following:**
- 9               (1) **A chemical manufacturing facility.**
- 10              (2) **A refinery.**
- 11              (3) **An electric utility facility, including:**
- 12                    (A) **a power plant;**
- 13                    (B) **a power generation facility peaker;**
- 14                    (C) **an electric transmission facility;**
- 15                    (D) **an electric station or substation; or**
- 16                    (E) **any other facility used to support the generation,**
- 17                    **transmission, or distribution of electricity.**
- 18           **However, the term does not include electric transmission land**
- 19           **or right-of-way that is not completely enclosed, posted, and**
- 20           **maintained by the electric utility.**
- 21           (4) **A water intake structure or water treatment facility.**

**(5) A natural gas utility facility, including:**

**(A) an age station;**

**(B) a compressor station;**

**(C) an odorization facility;**

**(D) a main line valve;**

**(E) a natural gas storage facility; or**

**(F) any other facility used to support the acquisition, transmission, distribution, or storage of natural gas.**

**However, the term does not include gas transmission pipeline property that is not completely enclosed, posted, and maintained by the natural gas utility.**

**(6) A gasoline, propane, liquid natural gas (LNG), or other fuel terminal or storage facility.**

**(7) A transportation facility, including, but not limited to, a port, railroad switching yard, or trucking terminal. However, the term does not include a railroad track that is not part of a railroad switching yard.**

**(8) A pulp or paper manufacturing facility.**

**(9) A pharmaceutical manufacturing facility.**

**(10) A hazardous waste storage, treatment, or disposal facility.**

**(11) A telecommunications facility, including a central office or cellular telephone tower site.**

**(12) A facility:**

**(A) that is substantially similar to a facility, structure, or station listed in this section; or**

**(B) whose owner or operator is required to submit a risk management plan under the federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (42 U.S.C. 7412(r))."**

Page 4, line 29, after "facility," insert "**on a key facility,**".

Page 6, line 2, delete "or".

Page 6, line 3, after "IC 32-24-1-5.9(a);" insert "**or**

**(iv) key facility;**".

Page 6, line 18, delete "or".

Page 6, line 19, after "IC 32-24-1-5.9(a);" insert "**or**

**(iv) key facility;**".

Renumber all SECTIONS consecutively.

(Reference is to SB 21 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 10, Nays 0.

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**Steele**

**Chairperson**